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OFFICE OF PETITIONS

In re Application of
Skubitz et al.
Application No. 10/069,605
Filed: 02/26/2002
Attorney Docket No. 284.00010101

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: DECISION ON PETITION
: UNDER 37 CFR 1.137(b)
:
:

This is a decision on the petition under 37 CFR 1.137(b), filed July 24, 2006 (certificate of facsimile transmission dated November 3, 2004), to revive the above-identified application.

This application became abandoned for failure to reply timely to the Restriction Requirement, which set a one-month extendable period to respond. No extensions of time were obtained pursuant to 37 CFR 1.136(a). Accordingly, this application became abandoned on December 7, 2003. A Notice of Abandonment was mailed on July 7, 2004.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply, authorized payment of the petition fee, and made an adequate statement of unintentional delay.¹ The petition is **granted**.

The fee for filing a petition under 37 CFR 1.137(b) on November 3, 2004, was \$1,370.00. Therefore, the Office will charge the Deposit Account in this amount.

This matter is being referred to Technology Center Art Unit 1647.

Telephone inquiries should be directed to the undersigned at (571) 272-3211.

C. T. Donnell

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¹ 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.